

REMARKS

Claims 1-33 are pending in this application. By this Amendment, claims 30-33 are added. No new matter is added.

Applicants gratefully appreciate the Office Action's indication that claims 23-29 are allowed and claims 12-20 cite allowable subject matter.

The courtesies extended to Applicants' representative by Examiner Pokrzywa at the interview held March 24, 2005, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

I. The Claims Define Patentable Subject Matter

A. Rejection of Claims 1-5, 7-11, 21 and 22 under 35 U.S.C. §102(e)

The Office Action rejects claims 1-5, 7-11, 21 and 22 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,790,922 to Takano. This rejection is respectfully traversed.

The Office Action asserts, on page 3, that Takano discloses a multi-functional device where the reading section pivots away from the recording section, such that the front edge moves forward and downward, a space provided above the recording section, and the recording section is exposed outside through the space. See, for example, Takano, Fig. 3, and col. 5, lines 65 - col. 6, line 9. This assertion is respectfully traversed.

Claims 1-22 are not anticipated by Takano. Takano does not disclose a multi-functional device that includes a reading section, "wherein when said reading section pivots away from said recording section such that said front edge moves forward and downward, a space is provided above said recording section, and said recording section is disposed outside through said space," as recited in independent claim 1 and as similarly recited in independent claim 22. Furthermore, Takano does not disclose a multi-functional device that includes a

"reading section being disposed above said shaft and pivotable about said shaft in a manner that said front edge moves forward and downward so as to separate from said recording section, whereby a space is provided above said recording section," as recited in independent claim 21.

Instead, Takano discloses an image reading portion 3 that is rotatably supported around A. By rotating the image reading portion 3 of Takano around fulcrum A, the recording paper face-up ejection portion that includes the recording paper ejection cover 61 and the original paper ejection tray 8 which is affixed, to the apparatus main body by a screw 66, is exposed. See e.g., Takano, Fig. 3 and col. 5, lines 65-col. 6, line 9. Thus, Takano merely discloses the feature of rotating the image portion 3 to permit the easy removal of the screw 66. See, e.g., Takano, col. 6, lines 1-4. Further, the recording apparatus 4 of Takano is located on the backside of the outer casing. See, e.g., Takano, Fig. 1. As discussed during the personal interview, because the apparatus of Takano does not rotate the image reading portion 3 to provide a space above the recording section 4 and the recording section 4 is not exposed outside through the space by rotating the reading section, the apparatus of Takano is different from the claimed multi-functional device. See, e.g., Takano, Fig. 1.

Further, even if the fixing portion 11 of Takano is considered to be a recording section as asserted by the Office Action, and as discussed during the personal interview, a space is not provided above the fixing portion of Takano, as recited in the independent claims. Nowhere does Takano disclose this feature. See, e.g., Takano, Figs. 1 and 3.

Thus, claim 1, and the claims dependent therefrom, and claims 21 and 22 do not anticipate Takano. Withdrawal of this rejection is respectfully requested.

B. Claim 6 under 35 U.S.C. §103(a)

The Office Action rejects claim 6 under 35 U.S.C. §103(a) as being unpatentable over Takano in view of U.S. Patent No. 5,826,133 to Saito et al. This rejection is respectfully

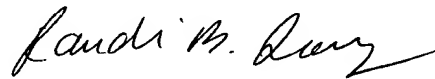
traversed. Claim 6 is dependent from claim 1. For at least for the reasons discussed above with respect to claim 1, claim 6 would not have been rendered obvious by Takano in view of Saito. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Amendment Transmittal

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